

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Confirmation No. 7348

Inventors: Didier Cataldo, et. al.

Art Unit: 1611

Application No. 10/594,101, filed May 22, 2007

Examiner:

For: USE OF A TRIOXOPYRIMIDINE FOR THE TREATMENT AND PREVENTION OF
BRONCHIAL INFLAMMATORY DISEASE

RESPONSE TO RESTRICTION REQUIREMENT

Nutley, New Jersey 07110
May 28, 2008

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement set forth in the Office Action mailed on March 31, 2008, applicants hereby elect without prejudice the use of the compound 5-Biphenyl-4-yl-5-[4-(4-nitro-phenyl)-piperazin-1-yl]pyrimidine-2,4,6-trione for further prosecution on the merits. The elected species is the first compound listed in claim 2, as amended, and is also within the scope of claims 1 and 3.

Appl. No. 10/594,101
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No fee is required in connection with the filing of this paper. If any fee is deemed necessary, authorization is given to charge the amount of any such fee to Deposit Account No. 08-2525.

Respectfully submitted,

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